

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Ingram Enterprises, Inc., d/b/a Fireworks )  
Over America, )  
Plaintiff, )  
vs. )  
Torch Fireworks, LLC and Christopher )  
W. Houston f/n/a Christopher W. Robbins, )  
Defendants. )

## ORDER

Case No. 1:17-cv-099

Plaintiff initiated the above-entitled action by Complaint on May 16, 2017. The Clerk's office issued summonses the following day. The summonses were returned executed on June 24, 2017. Plaintiff filed notice of his consent to the undersigned's exercise of jurisdiction over this matter on June 5, 2017. There has since been no apparent activity in this case.

This case has now been languishing on the court’s docket for more than nine months. It is **ORDERED** that plaintiff shall file a report by April 6, 2018, advising the court of the status of this action. Failure to submit a status report to the court may result in the dismissal of this action. See Miller v. Benson, 51 F3d. 166, 168 (8th Cir. 1995) (“District courts have inherent power to dismiss *sua sponte* a case for failure to prosecute, and we review the exercise of this power for abuse of discretion”); see also Sterling v. United States, 985 F.2d 411, 412 (8th Cir. 1993) (same); Fed. R. Civ. P. 41(b).

Dated this 7th day of March, 2018.

/s/ *Charles S. Miller, Jr.*

---

Charles S. Miller, Jr., Magistrate Judge  
United States District Court